

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ROY DEN HOLLANDER and WILLIAM A. NOSAL, :
on behalf of themselves and all others similarly situated, :

Plaintiff, :

- against - :

INSTITUTE FOR RESEARCH ON WOMEN AND :
GENDER AT COLUMBIA UNIVERSITY; SCHOOL :
OF CONTINUING EDUCATION AT COLUMBIA :
UNIVERSITY; TRUSTEES OF COLUMBIA :
UNIVERSITY IN THE CITY OF NEW YORK; :
UNITED STATES DEPARTMENT OF EDUCATION; :
MARGARET SPELLINGS, UNITED STATES :
SECRETARY OF EDUCATION, in her official :
capacity; BOARD OF REGENTS OF THE :
UNIVERSITY OF THE STATE OF NEW YORK, in his :
or her official and individual capacity; CHANCELLOR :
OF THE BOARD OF REGENTS, ROBERT M. :
BENNETT, in his official and individual capacity; NEW :
YORK STATE COMMISSIONER OF THE :
DEPARTMENT OF EDUCATION, RICHARD P. :
MILLS, in his official and individual capacity; and :
PRESIDENT OF THE NEW YORK STATE HIGHER :
EDUCATION SERVICES CORPORATION, JAMES :
C. ROSS, in his official and individual capacity, :

Defendants. :
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08 CV 7286 (LAK) (KNF)

ECF Case

Notice of Motion

PLEASE TAKE NOTICE THAT, upon the accompanying memorandum of law, the declaration of Patricia Sachs Catapano, dated October 21, 2008 (Docket No. 11), previously submitted in connection with the motion to dismiss the original complaint, and upon all prior pleadings and proceedings in this action, defendants Institute for Research on Women and Gender at Columbia University, School of Continuing Education at Columbia University, and The Trustees of Columbia University in the City of New York, by and through their undersigned

counsel, will move this Court before the Honorable Kevin Nathaniel Fox, United States Magistrate Judge, at the United States District Court, Southern District of New York, 500 Pearl Street, New York, New York 10007, at such time as the Court hereafter determines, for an order pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6) dismissing the First Amended Class Action Complaint in its entirety, for lack of subject matter jurisdiction and for failure to state a claim upon which relief may be granted.

Dated: New York, New York
January 9, 2009

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ADELMAN LLP

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